

**ARKANSAS COURT OF APPEALS**

DIVISION II  
No. CA 08-977

MARY NIXON

APPELLANT

V.

ARKANSAS DEPARTMENT OF  
HUMAN SERVICES and A.W., MINOR  
CHILD

APPELLEES

**Opinion Delivered** January 28, 2009

APPEAL FROM THE PULASKI  
COUNTY CIRCUIT COURT,  
[NO. JN-2006-1064]

HONORABLE RITA GRUBER,  
JUDGE

AFFIRMED

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**M. MICHAEL KINARD, Judge**

Appellant Mary Nixon appeals from the termination of her parental rights in A.W., born August 11, 2005. We affirm.

In May 2006, the Arkansas Department of Human Services (DHS) removed A.W. from appellant's custody based on reports that appellant's erratic behavior was preventing A.W. from receiving much-needed medical care and that there was inadequate supervision in the home. A.W. was adjudicated dependent-neglected based on medical neglect and inadequate supervision. While in DHS custody, A.W. underwent one liver transplant, and she was preparing for a second liver transplant when parental rights were terminated. At the time of the termination hearing on April 14, 2008, appellant had recently been homeless, had tested positive for illegal substances, and had been employed for only about six months since the case was opened. Appellant admitted that she was unable to care for A.W. at that time.

The trial court terminated appellant's parental rights, finding, among other things, that appellant had not made any attempt to learn how to meet the needs of her child, had chosen not to utilize the services and support given to assist her with reunification, and had not shown that she had sufficiently rehabilitated herself such that she could regain custody of A.W. in the foreseeable future.

The only substantial issue in this appeal is the sufficiency of the evidence to support the termination of appellant's parental rights. Appellant challenges the sufficiency of the evidence as to termination being in A.W.'s best interest and as to the existence of at least one ground for termination. Having determined that the trial court did not clearly err in finding that termination of appellant's parental rights was in A.W.'s best interest and that at least one statutory ground for termination was proven, we affirm by memorandum opinion. The thorough and detailed opinion of the trial court appropriately explains the basis for this decision. *See In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985).

Affirmed.

GLOVER and MARSHALL, JJ., agree